

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN

In re: Nicholaus Sweatt

Case No. 24-10787-13

Debtor(s)

TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN, AMENDED LIQUIDATION
ANALYSIS, MEANS TEST and RECOMMENDATION OF AMENDED SCHEDULES

Mark Haring, Standing 13 Trustee, by his attorney, objects to confirmation of the First Amended Chapter 13 Plan and Request to Amend Unconfirmed Plan filed as Document #69 on 11/11/2024 together with Amended Means Test filed as Document #49 on 9/6/2024, Amended Liquidation Analysis filed as Document #62 on 10/25/2024 and Amended Schedules A/B&C filed as Document #63 on 10/28/2024 and states as follows:

1. Plan is amended to reduce plan payments from \$575/mo to \$425/mo for the final 53 months of a 60 month plan. The most recent budget filed in this case appears to support payments of in excess of \$425/mo and the debtor has yet to provide this office with detailed business financial information, pay stubs for the nonfiling spouse and support for the nonfiling spouse's separate debt payments, direct paid life insurance and childcare expenses.
2. Plan is amended to reflect the lack of priority debt now that IRS has amended the claim to indicate a zero balance.
3. The Means Test is amended to increase nonfiling spouse income but also to increase the direct nonfiling spouse debt deduction. As noted above, this office has reached out directly to debtor's attorney requesting additional information to allow us to complete our Means Test review. It is not apparent what the net MDI is or if the plan is meeting this requirement.
4. The Liquidation Analysis is amended to adjust the homestead value now that has been determined. In our review of the form it appears there is a disconnect between the vehicle exemption claimed on Schedule C and the analysis. It is the position of this office the amount available for unsecured creditors should be increased by the \$6500 unprotected equity in debtor's Ford Explorer.
5. Schedules A/B&C have been amended to reflect the recently determined homestead value and to protect debtor's interest with available exemption.
6. As these documents were timely filed, the 10/3/2024 and 10/28/2024 Court Orders are resolved.

Dated: November 27, 2024

Standing Chapter 13 Trustee

By: /s/ *Leslie Brodhead Griffith*

Leslie Brodhead Griffith

Attorney for Trustee

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